

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES CURTIS KERN,
Plaintiff,

v.

JIM COOPER, et al.,
Defendants.

No. 2:23-cv-0618 WBS AC P

ORDER

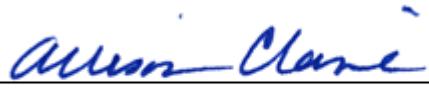
By order filed November 12, 2024, the undersigned directed plaintiff to provide additional information to identify defendant Russell after processes directed to him was returned unserved because the Sacramento County Sheriff's Office was unable to identify him. ECF No. 50. Plaintiff has now filed a motion for judicial intervention in which he seeks assistance obtaining the first name and badge number of defendant Russell. ECF No. 52. He states that none of the agencies will accept phone calls from inmates. Id.

In directing plaintiff to provide additional information, the court noted that plaintiff had included a first name for defendant Russell in his complaint, but not on the service paperwork. ECF No. 50 at 1 n.1. Because it appears that plaintiff already has defendant Russell's first name but failed to include it in the service paperwork, the request for intervention will be denied. See ECF No. 36 at 2 (identifying defendant as "Kevin Russell"). Moreover, a separate scheduling order opening discovery was issued concurrently with this order. Plaintiff can therefore attempt

1 to obtain additional information to identify defendant Russell, such as his badge number, through
2 the discovery.

3 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for judicial intervention
4 (ECF No. 52) is DENIED.

5 DATED: December 3, 2024

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7 ALLISON CLAIRE
8 UNITED STATES MAGISTRATE JUDGE
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